

Connie Diaz

From: Susan Mickley
Sent: Tuesday, January 12, 2021 3:36 PM
To: Petra Wilson
Cc: Dana Shaffer; Charles Mathias; Blaise Scinto; Paul Malmud; Cecilia Sulhoff; Connie Diaz; FCC Operations Center; John Schauble; Nadja SodosWallace; Sommer Gilbert
Subject: FW: LBST STA on Mural Letterhead
Attachments: LBST STA Auth.Approval to FCC.1.12.2021.pdf; LBST STA on Mural Letterhead.pdf; LBST.MuralNet authorization.pdf; DA 20-463 Public Notice.pdf; Filing PN Attachment DA 20-463.pdf

January 12, 2021

The Lower Brule Sioux Tribe's (LBST) request for emergency Special Temporary Authority (STA) to operate on unassigned 2.5 GHz spectrum, formerly Educational Broadband Service spectrum, for a period of 60-days is granted via this email. The LBST will be using this spectrum to provide internet connectivity relief during the state of emergency caused by the spread of the coronavirus throughout the United States.

The LBST may use New Channel 1 (2502.0-2551.5 MHz), New Channel 2 (2551.5-2602.0 MHz) and New Channel 3 (2615.0-2616.0 MHz and 2673.5-2690.0 MHz) to transmit from The Lower Brule Sioux Tribe Reservation in Lower Brule, South Dakota, identified in the attached shapefile link <https://fcc.maps.arcgis.com/apps/webappviewer/index.html?id=4287bc078a5e4c7dbd291d78e0534ca7&extent=-100.24275758,43.7938160276,-99.1993775185,44.3886606789>. This STA does not authorize operation on frequencies assigned to an existing license including but not limited to, Station WNC767.

This STA is authorized on a secondary, non-interference basis. The LBST must cease operating on these frequencies if such use causes harmful interference to any existing licenses.

Any structure utilized to operate pursuant to this STA must comply with the height limitations specified in Section 17.7 of the Commission's rules or must be registered with the FAA.

Operation under this STA must be consistent with the technical rules applicable to this spectrum.

The LBST must cease operating at the expiration of this STA.

The LBST must file an STA application for Special Temporary Authorization to continue its operation within 10 days of today's date (**January 21, 2021**) or the STA will automatically terminate.

The STA application should be filed in the Commission's Electronic Comment Filing System (ECFS) as a Non-Docketed Filing in the FCC Inbox for 1.931 market-based STA's, pursuant to the process described in the attachment to DA 20-463, a copy of which is attached to this email. In addition, a courtesy copy of the STA application should be mailed to the FCC staff members copied on this e-mail. If you have any questions about the filing process, please contact Paul Malmud of the Broadband Division at Paul.Malmud@fcc.gov.

In granting this STA, the Wireless Telecommunications Bureau is relying on our understanding that the LBST is ready to begin operations promptly. Grant of this STA does not confer any rights to the LBST with regard to the 2.5 GHz Rural Tribal Priority Window.

Thank you,

Susan Mickley
Broadband Industry Analyst

Federal Communications Commission
Wireless Telecommunications Bureau
Broadband Division

Phone: (717) 338-2654
Fax: (717) 338-2763
Email: susan.mickley@fcc.gov

From: Petra Wilson <petra@muralnet.org>
Sent: Tuesday, January 12, 2021 2:11 PM
To: Paul Malmud <Paul.Malmud@fcc.gov>
Cc: Nadja SodosWallace <Nadja.SodosWallace@fcc.gov>; John Schauble <John.Schauble@fcc.gov>; Susan Mickley <Susan.Mickley@fcc.gov>
Subject: Re: LBST STA on Mural Letterhead

Good Morning,

I have a letter from the Chairman of the Lower Brule Sioux Tribe stating his review and approval of the STA documents that were presented to the FCC for a reservation-wide STA request. It also clarifies the authorization from the tribe for MuralNet to proceed with this item. Please let me know if you have any questions or if there is anything else needed from the tribe or from MuralNet.

Thank you,

Petra Wilson

From: Petra Wilson <petra@muralnet.org>
Sent: Monday, January 11, 2021 12:44 PM
To: Paul Malmud <Paul.Malmud@fcc.gov>
Cc: Nadja SodosWallace <Nadja.SodosWallace@fcc.gov>; John Schauble <John.Schauble@fcc.gov>
Subject: Fwd: LBST STA on Mural Letterhead

Good Morning Everyone,

Attached is the amended letter of request regarding the Lower Brule Sioux Tribe emergency STA. I have also attached mapping for the request of a reservation-wide STA.

Should you have any questions please feel free to contact me at any time.

Sincerely,

Petra Wilson

Oglala Sioux Tribe

MuralNet Tribal Outreach Strategist



1900 Fruitvale Ave. Ste. 3F, Oakland, CA 94601

Email: petra@muralnet.org Cell: 702-612-6111

Legal Advice Disclaimer. MuralNet provides information and consulting services to assist tribal entities in connection with the Federal Communications Commission’s Tribal Priority Filing Window. MuralNet services may include spectrum analysis, engineering support, strategic consulting and other non-legal consulting services. MuralNet employees and contractors are not attorneys. MuralNet is not a law firm or a substitute for an attorney or a law firm. Information and services MuralNet provides are not legal advice or opinion and do not in any way constitute legal representation.



January 9, 2021

Mr. Paul Malmud
Wireless Telecommunications Bureau Federal Communications Commission
445 12" Street, SW
Washington, DC 20554

Re: Request for Emergency Special Temporary Authority

Dear Mr. Malmud:

The Lower Brule Sioux Tribe would like to request a 60-day special temporary authorization to use 2.5 GHz spectrum. The Tribe has applied for a 2.5 GHz spectrum license. Due to COVID 19, we are preparing for the reality that students will be out of the building and be utilizing online learning during the school year. We would plan for the project to start ASAP to connect homes to the Tribe's network. With the use of this network due to COVID -19 we see the following advantages:

Students will be able to take their classes remotely while staying safe at their homes. Faculty and Staff can access their internet, allowing them to shelter in place if necessary. It will also allow for effective leadership needs of the tribal government to continue their operational functions. This spectrum is an essential component of the tribal technology strategy to keep nearly 1,600 community members informed of mitigation, community support and precautionary activity and community announcements related to COVID-19. We anticipate all educational services will be on-line or via alternative methods. Unfortunately, approximately 80% students do not have access to WIFI except by the 2.5 GHz network.

No one is being charged for access to the network. Connected homes have no caps. If the permanent license is granted the Tribe hopes to provide connectivity to all tribal members.

- The Lower Brule Sioux Tribe would be apply of use of the following:
- New Channel 1 (2502-2551.5 MHZ)
- New Channel 2 (2551.5-2602 MHZ)
- New Channel 3 (2615-2616 MHZ and 2673.5-2690 MHZ)

The Lower Brule Sioux Tribe will not operate on the frequencies licensed to existing EBS station WNC767 or any other incumbent within the area where those stations are licensed.



For the STA-Pilot, the Lower Brule Sioux Tribe is planning to operate base stations under the STA requesting a Lower Brule Sioux Tribe STA that is reservation wide. Attached is a map of the reservation showing the multiple sites requested for approval. These are multiple sites ready for deployment across the reservation.

The Lower Brule Sioux Tribe will be operating equipment for our tribal members in conjunction with the base stations.

The Lower Brule Sioux Tribe has asked to utilize the 2.5 Ghz spectrum and not the 3.5Ghz spectrum as the tribe has purchased equipment that will run on 2.5 Ghz and is already in place to begin implementation immediately. The Tribe understands and will comply with the technical rules that apply to the 2.5 GHz band.

The Lower Brule Sioux Tribe understands that operation under the STA is on a secondary, non interference basis, that an STA is temporary, and the Tribe will cease operation of the STA at the expiration date with understanding that it will need to have a request submitted for an extension to continue operating.

The Lower Brule Sioux Tribe understands that an agreement that grants the STA provides no rights to the spectrum in the Tribal Priority Window.

The Lower Brule Sioux Tribe understands that this STA extension has no bearing on future permanent licenses for the spectrum in the 2.5 GHz band. All conditions that currently apply to the STA will continue to apply.

Thank you for your consideration,

MuralNet on behalf of the
Chairman Clyde Estes, Lower Brule Sioux Tribe

cc: John Schauble; Nadja Sodos Wallace

Clyde J.R. Estes
Chairman



Tribal Administration
187 Oyate Circle
Lower Brule, SD 57548
Phone: (605) 473-5561
Fax: (605) 473-5554

December 22nd, 2020

Ms. Mariel Triggs, CEO
MuralNet
1900 Fruitvale Ave, Suite 3F
Oakland, CA 94601

Re: Request for Assistance with Emergency Special Temporary Authority Application

Dear Ms. Triggs:

The Lower Brule Sioux Tribe (hereinafter "the Tribe") hereby formally requests the assistance of MuralNet and/or its agents (hereinafter "MuralNet") to assist the Tribe with the preparation of the additional Emergency Special Temporary Authorizations (hereinafter "STA's"), as needed, in support of the Tribe's 2.5 GHz community broadband project. It is understood that MuralNet will submit all draft STA's to the Tribe for approval prior to submission of said STA's to the FCC. The Tribe retains all approval rights of said STA's. This authorization should not be construed in any measure to waive Sovereign Immunity.

Clyde J.R. Estes, Chairman

Cody Russell, Vice Chairman

Marvin Grassrope, Sr., Secretary-Treasurer

John McCauley, Councilmember

Stephanie Bolman, Councilmember

Donovan Grassrope, Councilmember

Clyde J.R. Estes
Chairman



Tribal Administration
187 Oyate Circle
Lower Brule, SD 57548
Phone: (605) 473-5561
Fax: (605) 473-5554

January 12, 2021

Mr. Paul Malmud
Wireless Telecommunications Bureau Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Request for Emergency Special Temporary Authority

Dear Mr. Malmud,

As Chairman of the Lower Brule Sioux Tribe I give authorization to MuralNet to continue to do the work associated with the Emergency reservation-wide STA request and all items associated with it.

This letter serves as confirmation that I have reviewed all the necessary STA documents and approve them. MuralNet is also given authorization to submit this letter on behalf of the LBST.

If there are any further questions I can be contacted at:
ClydeEstes@lowerbrule.net 605-730-1564

Respectfully,

Clyde Estes, Chairman
Lower Brule Sioux Tribe

CC: Petra Wilson



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-463
Released: April 29, 2020

ELECTRONIC FILING NOW AVAILABLE FOR ALL LICENSE APPLICATIONS IN THE WIRELESS RADIO SERVICES

Mandatory Electronic Filing Will Be Enforced as of July 28, 2020

By this Public Notice, the Wireless Telecommunications Bureau (WTB) announces 100% electronic filing capability for license applications in the Wireless Radio Services. The Bureau's Universal Licensing System (ULS) currently provides licensees and applicants electronic filing capability for the vast majority of applications in the Wireless Radio Services. There are a few limited categories of submissions that ULS has not been able to accept electronically, and until today, these had to be filed manually. These categories are: (1) Special Temporary Authority (STA) applications in certain market-based services, (2) sublease applications, and (3) multi-step transactions.

In an effort to provide a complete electronic filing solution to licensees and applicants, particularly considering the current pandemic due to COVID-19, WTB announces an ECFS non-docketed filing solution exclusively for the limited categories of applications referenced above. Instructions for how to complete non-docketed ECFS filings for this limited class of filings are attached to this Public Notice.¹

Applicants may begin using ECFS to file their applications electronically effective **April 29, 2020**. A courtesy copy of any application(s) with an urgent filing deadline may be sent to ULScc@fcc.gov. The ECFS solution will become mandatory for filers on **July 28, 2020**, and any manually filed applications delivered after 4 p.m. on **July 27, 2020** will be dismissed without prejudice. This creates a 90-day transition period, which we believe provides sufficient time to allow users to adjust to this new requirement and to familiarize themselves with the ECFS filing system.

Mandatory Electronic Filing. Section 1.913(b) requires electronic filing of all applications in the Wireless Radio Services (with limited exceptions).² Because ULS was previously unable to accept some limited categories of filings electronically, WTB routinely waived the electronic filing requirement for market-based STAs, sub-leases, and multi-step transactions. Now that electronic filing is available for these remaining categories, WTB will begin strictly enforcing the electronic filing requirement for them as of July 28, 2020. We waive the signature requirement of section 1.917(d) to the extent necessary to allow filing as described herein.³

For questions regarding this Public Notice, please contact Keith Harper, Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2759; Keith.Harper@fcc.gov, or Paul Malmud, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0006; Paul.Malmud@fcc.gov.

¹ In addition, WTB observes that non-licensees often seek waivers of rules in the Wireless Radio Services, and we provide a tailored ECFS filing capability for those requests as well to eliminate the need for paper filings.

² Similarly, section 1.931 requires electronic filing of special temporary authority applications. 47 C.F.R. §§ 1.913, 1.931.

³ 47 C.F.R. § 1.917(d).

- FCC -

Attachment
Wireless Telecommunications Bureau ECFS Non-docketed Filing Solution

- **Do not use the ECFS non-docketed filing portal to submit any applications that can be electronically filed in the Universal Licensing System (ULS) or anything for which another existing electronic-filing system is available.**

- **Filers should use the ECFS non-docketed filing portal for submitting the specific types of documents listed in the following categories of FCC Inboxes:**
 - a. INBOX – 1.913 Universal Licensing System Adjunct
 - i. Sublease applications;
 - ii. Multi-step transactions, such as simultaneous assignment applications or lease back applications where ULS filing cannot be accomplished; or
 - iii. Any other application where electronic filing via ULS is unavailable
 - b. INBOX – 1.931 Market-based STAs
 - i. Requests for Special Temporary Authority (STA) in market-based services, typically awarded by auction.
 - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
 - i. Any requests by non-licensees seeking waivers of rules in the wireless radio services (e.g. equipment certification waivers).

- **Do not use the ECFS non-docketed filing portal to submit any confidential documents, as all documents uploaded via ECFS are available to the public. If an application requires the submission of confidential information, please coordinate with FCC staff to submit the specific confidential components via email.**

Filing instructions:

1. Filers should access the ECFS filing portal at <https://www.fcc.gov/ecfs/filings>.
2. Click on the blue header labeled “Non-Docketed Filing.”
3. From the field labeled “FCC Inbox,” use the drop-down menu to select the appropriate inbox for the intended filing. The following three WTB inboxes have been established for applicable filings:
 - a. INBOX – 1.913 Universal Licensing System Adjunct
 - b. INBOX – 1.931 Market-based STAs
 - c. INBOX – 1.925 Waivers in Wireless Services filed by non-licensees
4. Complete the necessary fields regarding filer information
5. In the “Upload Documents” field, click to upload the appropriate document or drag and drop the document in the perforated box.
 - a. Filers must include an electronic copy of their completed application signed pursuant to section 1.52 of the Commission’s rules, as well as any associated attachments.
 - b. Application filings must continue to utilize standard FCC forms for the intended application type, as found on the FCC forms page:
<https://www.fcc.gov/licensing-databases/forms>.
 - c. The ECFS system permits a maximum of five uploadable files per filing;

- d. Filing types accepted are PDF, text, ppt, pptx, docx, xlxs, doc, xls, rtf, and dwg.
6. Select “continue to review screen” at bottom of screen
 - a. Review summary of information completed for accuracy.
 - b. If any corrections are required, filers can navigate back to the previous screen with the filer information using their browser’s back button.
7. Once filers have confirmed that the information they entered is correct, click the “submit” button on the bottom of the screen.
 - a. Filer will receive a confirmation number upon submission
 - b. Please save the number for tracking purposes.
8. If your application requires a fee, FCC staff will bill filers for the applicable fee once the application has been assigned a file number or otherwise keyed into ULS.
 - a. Filers will receive a letter notifying them of the payment due
 - i. During this temporary mandated telework period due to COVID-19, OMD is temporarily emailing applicants their bill
 - b. All fees must be paid electronically; Filers will utilize the Fee Filer portal to make the associated payment electronically: <https://apps.fcc.gov/FeeFiler/login.cfm>
 - c. Filers will have 30 days to remit payment electronically from the issuance of the notice from FCC staff.
9. Please direct any questions about filed applications to WTB Staff:
 - a. Mobility Division: Keith Harper (202) 418-2759; Keith.Harper@fcc.gov
 - b. Broadband Division: Paul Malmud (202) 418-0006; Paul.Malmud@fcc.gov.
10. Technical Assistance:
 - a. For technical assistance with ECFS, please contact the ECFS Help Desk at 202-418-0193 or ECFSHelp@fcc.gov.
 - b. For technical assistance with FCC Pay fees, please contact the ULS Help Line: (877)480-3201 and select option 2 (Mon.-Fri. 8 a.m.-6 p.m. ET).